

III. REMARKS

A. Introduction

In response to the Office Action mailed October 6, 2005, claims 24-48 have been withdrawn without prejudice. After entry of this amendment, new claims 49-101 remain.

5 It is respectfully submitted that each and every feature recited in the new claims are fully supported in the specification as filed. No new matter has been added. Applicants wish to thank the Examiner for the careful review of the claims, specification, and drawings.

B. Rejections Under 35 U.S.C. 102(b)

10 The Office Action has rejected claims 24-48 under 35 U.S.C. 102(b) as being anticipated by WIPO document (WO 97/30614) or WIPO (EP 1197170). The Office Action has rejected claims 45-48 under 35 U.S.C. 102(b) as being anticipated by German document '045.

The Office Action has pointed out that the term "can be" means an optional limitation and as such the prior arts anticipate such claims without positively having the "can be" structure.

15 Applicant has withdrawn independent claim 24, and filed a new independent claim 49 using the term "are configurable" to replace the term "can be configured" to indicate the *required* capability of the structure to be configured to form a single rigid coplanar leg section, NOT to mean an *optional* limitation as indicated by the Office Action. As such, the prior art references, WIPO document (WO 97/30614) or WIPO (EP 1197170), cited by the Office Action do not anticipate such claims without positively having the configurable structure. Applicant has added
20 independent claim 92 to require, in the manner claimed, the term "are configurable" to replace the term "can be configured" to indicate the *required* capability of the structure to be configured to form a single rigid coplanar leg section NOT to mean an *optional* limitation as indicated by the

Office Action. As such, the prior art, German document '045, cited by the Office Action does not anticipate such claims without positively having the configurable structure.

Accordingly, added independent claims 49 and 92 should be allowed.

Furthermore, the pending dependent claims 50-91 and 93-101 that depend from claims 49
5 and 92 should also be patentable due to their dependence from the patentable parent claims:

Alternatively or additionally, the dependent claims 50-91 and 93-101 are novel, non-obvious, and patentable due to their independent recitations of independently patentable features.

C. Rejections Under 35 U.S.C. 103(a)

The Office Action has rejected claims 24-48 under 35 U.S.C. 103(a) as being
10 unpatentable over either WIPO document (WO 97/30614) or WIPO (EP 1197170) in view of German reference '045.

Applicant hereby withdraws independent claims 24 and 45, and provides new claims that include, among other patentable features, the limitation that the thigh section and calves section are configurable into a locked position, wherein lock springs, in an elongated state, force a
15 transfer link to remain in an over centered locked position, to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section. It is respectfully submitted that neither of these limitations are found in any combination of the cited arts either WIPO document (WO 97/30614) or WIPO (EP 1197170) and German document '045 relied on by the
20 Examiner in the manner claimed in new claims 49 and 92. Furthermore, even the combination of these two references do not contain all of the elements of this invention. Lastly, the combination of the two references is inoperable (and thus non-obvious) since the track under the calve and

thigh sections in these references would prevent these sections from being lowered below the horizontal.

The other dependent claims 50-91 and 93-101 are patentable due to their dependency on patentable parent claims and also due to their recitations of independently patentable features. It is respectfully requested that these claims are in a position for allowance.

D. Conclusion

For the aforementioned reasons and others, it is respectfully submitted that the pending claims are novel, non-obvious, and patentable over the cited art of record, taken alone or in combination.

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